

Federal Defenders
OF NEW YORK, INC.

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David E. Patton
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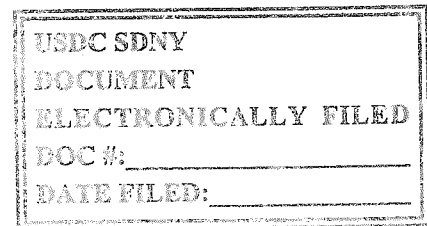
Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

MEMO ENDORSED

June 30, 2014

BY EMAIL

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
United States Courthouse
New York, New York 10007



Re: U.S. v. Benjamin Durant and Daryl Payton, 12 Cr. 887 (ALC)

Dear Judge Carter:

I write on behalf of Benjamin Durant, a defendant in the above-referenced case, to request that the Court excuse Mr. Durant's appearance at the initial conference in this case or, in the alternative, adjourn the conference currently scheduled for July 1 to July 3.

On Friday, June 27, the Court issued an order scheduling an initial conference in the above-referenced case for July 1 at 1:00 pm. Mr. Durant is unavailable at that time, but I will be able to attend as his counsel. Mr. Durant already has been arraigned on the indictment. In consequence, I respectfully request that the Court permit me to waive Mr. Durant's appearance at the conference. In the alternative, I respectfully request that the Court schedule a separate conference regarding Mr. Durant for Thursday July 3.

The government has informed me that it has no objection to a waiver of Mr. Durant's appearance.

Thank you for your time and attention to this matter.

Respectfully submitted,

/s/

Peggy Cross-Goldenberg, Esq.
(212) 417-8732

cc: AUSAs John Zach and Telemachus Kasulis

The request granted. Defendant Durant is hereby permitted to appear by and through his attorney.
SO ORDERED
Andrew L. Carter
7/1/2014